

REMARKS

Claims 1 to 23 were pending in the application at the time of examination. Claims 9 and 19 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1 to 5, 7, 8, 10 to 15, 17, 18, and 20 to 23 stand rejected as anticipated. Claims 6, 9, 16, and 19 stand rejected as obvious.

In view of the § 112, second paragraph rejection of Claims 9 and 19 for improper antecedent basis for "the first and second continuous broadcast loops," Applicant amended Claim 9 to depend from Claim 8, and Claim 19 to depend from Claim 18. Applicant respectfully submits that this amendment provides the required antecedent basis. Accordingly, Applicant requests reconsideration and withdrawal of the § 112 rejection of each of Claims 9 and 19.

Applicant has amended each of Claims 1, 11, 21, 22, and 23 to clarify that the first continuous broadcast loop is received and then transmitted. Claims 4 and 14 are amended to remove an antecedent basis informality. Claims 6 and 16 are cancelled.

Claims 1 to 5, 7, 8, 10 to 15, 17, 18, and 20 to 23 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Published Patent Application No. 2001/0034788, hereinafter referred to as McTernan. The rejection cited paragraphs 39 and 44 of McTernan as teaching "transmitting the requested data to the client data processing device."

Applicant respectfully traverses the anticipation rejections. Applicant respectfully points out that McTernan taught in paragraph [0037]:

One or more Looping Data Senders 210 receive packets 212 generated by the Packetized Data Source Structure 208. The Looping Data Sender 210 takes each packet 212 and transmits it by way of an integrated or external network adapter 216 to clients 220 via a network 218. After the final packet 212 in the sequence is received and transmitted, the Looping Data Sender 210 begins re-

transmitting the packets starting with the first packet in the sequence. (Emphasis added)

Thus, McTernan taught that each packet was sent to the client by the looping data sender and it was up to the client to determine when a complete transmission had occurred as described in paragraph [0044]. McTernan teaches away from receiving the complete first continuous broadcast loop and then transmitting the data to the client data processing device as recited in each of Claims 1, 11, 21, 22, and 23. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 1, 11, 21, 22, and 23.

Each of Claims 2 to 5, 7, 8, 10, 12 to 15, 17, 18, and 20 distinguish over McTernan for at least the same reason as the independent claim from which each depends. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each Claims 2 to 5, 7, 8, 10, 12 to 15, 17, 18, and 20.

The obviousness rejection of Claims 6 and 16 have been rendered moot by the cancellation of these claims.

Claims 9 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McTernan in view of U.S. Patent No. 6,738,833, hereinafter referred to as Fukasawa.

Assuming that the combination of references is correct, the additional information cited in Fukasawa does not overcome the deficiency of McTernan as noted above with respect to Claims 1 and 11. Applicant respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 9 and 19.

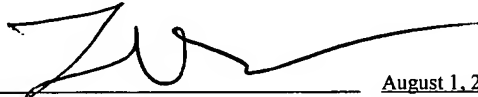
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Claims 1 to 5, 7 to 15, and 17 to 23 remain in the application. Claims 1, 4, 9, 11, 14, 19, 21, 22, and 23 have been amended. Claims 6 and 16 were canceled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 1, 2005.



Attorney for Applicant(s)

August 1, 2005

Date of Signature

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